



PATENT
2024729-7019673001
(268/214)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:) Confirmation No.: 2510
Joseph V. Koblish, et al.)
Serial No.: 09/975,393) Group Art Unit: 3739
Filed: October 10, 2001)
For: DEVICES AND METHODS FOR) Examiner: Rollins, Rosiland Stacie
CREATING LESIONS IN)
ENDOCARDIAL AND)
SURROUNDING TISSUE TO)
ISOLATE FOCAL ARRHYTHMIA)
SUBSTRATES)

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RESPONSE AFTER FINAL

Box AF
Commissioner for Patents
Washington, D.C. 20231

Response under 37 CFR 1.116
Expedited Procedure
Examining Group

Dear Sir:

This letter is responsive to the Final Office Action, dated April 13, 2004. Claims 15-61 remain pending in this application, all of which stand rejected. Based on the following remarks, reconsideration and allowance of this application is respectfully requested.

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

5/6/04
Date of Deposit

Jocelyn L. Lee
Jocelyn L. Lee

The Examiner has indicated that Lesh illustrates a circumferential region that occupies most of the distal surface of the device, and therefore, has a primarily distal facing surface. Applicant does not argue that the circumferential region 352 occupies most of the distal surface of the electrode body 370. The claims, however, clearly require the circumferential region or pronounced ring to define a primarily “distal facing” surface, i.e., the surface must primarily face in the distal direction. The Examiner has completely ignored the claim language “facing,” and has construed the phrase “primarily distal facing surface” to merely mean that the pronounced ring or circumferential region is on a distal surface of the catheter. Such construction is improper, and clearly contradicts the plain meaning of “distal facing.” As stated in the previous response, the circumferential region of Lesh primarily faces radially outward.

As such, Applicant requests withdrawal of the rejections of claims 15-61, which all require either a pronounced ring or a circumferential region that defines a primarily distal facing surface.

Based on the foregoing, all pending claims are now believed to be allowable and a Notice of Allowance is respectfully requested. If the Examiner has any questions or comments regarding this amendment, the Examiner is requested to contact the undersigned at (714) 830-0606.

Respectfully submitted,

BINGHAM MCCUTCHEN LLP

Dated: 5/6/04

By:


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